**The policy below is the current Branston & Mere Parish Council Equality and Diversity Policy which is in line with the NALC Model document and takes into account the Equality Act 2010.**

**BRANSTON & MERE PARISH COUNCIL EQUALITY AND DIVERSITY POLICY**

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**Our commitment[[1]](#endnote-1)**

The council is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

This policy is intended to assist the council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

**The law[[2]](#endnote-2)**

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics”.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

The council will not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

**Types of unlawful discrimination[[3]](#endnote-3)**

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person’s dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic.

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

**Equal opportunities in employment[[4]](#endnote-4)**

The council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Recruitment

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

Working practices

The council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the council considers it has good reasons, unrelated to any protected characteristic, for doing so. The council will comply with its obligations in relation to statutory requests for contract variations. The council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

Equal opportunities monitoring

The council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in the council’s privacy notices.

**Dignity at work[[5]](#endnote-5)**

The council has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

**People not employed by the council[[6]](#endnote-6)**

The council will not discriminate unlawfully against those using or seeking to use the services provided by the council.

You should report any bullying or harassment by suppliers, visitors or others to the council who will take appropriate action.

**Training[[7]](#endnote-7)**

The council will [provide training in/raise awareness of] equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The council will provide training to/raise awareness of all staff engaged to work at the council to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment.

**Your responsibilities[[8]](#endnote-8)**

Every employee is required to assist the council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the council for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the council’s disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

**Grievances[[9]](#endnote-9)**

If you consider that you may have been unlawfully discriminated against, you should use the council’s grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work policy.

The council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

**Monitoring and review[[10]](#endnote-10)**

This policy will be monitored periodically by the council to judge its effectiveness and will be updated in accordance with changes in the law.

This is a non-contractual procedure which will be reviewed from time to time.

Date for next review: June 2026

— policy ends here —

1. The policy begins with a declaration of the parish council’s commitment to fulfilling its responsibilities under the Equality Act 2010. [↑](#endnote-ref-1)
2. This section is fully aligned with the Equality Act 2010, recognising and addressing all protected characteristics such as age, disability, race, sex, sexual orientation, and religion or belief. It clearly prohibits direct and indirect discrimination, harassment, and victimisation, in line with the definitions set out in the Act, and affirms the Council’s duty to make reasonable adjustments to avoid disadvantaging disabled individuals. [↑](#endnote-ref-2)
3. This section of the Council’s Equality and Diversity Policy reflects key provisions of the **Equality Act 2010**, including definitions of direct and indirect discrimination (Sections 13 and 19), harassment (Section 26), victimisation (Section 27), and the duty to make reasonable adjustments for disabled people (Sections 20–21). It also recognises associative and perceptive discrimination, and the lawful use of occupational requirements under **Schedule 9.** By including these terms, the policy helps ensure that councillors and employees understand their legal responsibilities and supports compliance with the **public sector equality duty** under **Section 149,** promoting fairness, inclusion, and accountability. [↑](#endnote-ref-3)
4. This section complies with the **Equality Act 2010** by ensuring fair and non-discriminatory employment practices in recruitment, promotion, pay, and working conditions, in line with Sections 19, 20–21, and 39. It supports reasonable adjustments for disabled staff and addresses indirect discrimination. Monitoring practices align with the **Data Protection Act 2018,** and the policy helps fulfil the Council’s **public sector equality duty** under Section 149. [↑](#endnote-ref-4)
5. Having a separate dignity at work policy ensures there’s a clear process for dealing with issues, helping to create a respectful workplace and supporting the Council’s wider equality duty under **Section 149.** [↑](#endnote-ref-5)
6. This section ensures the Council does not unlawfully discriminate against members of the public using its services. It also aligns with the duty to prevent harassment by third parties, supporting a safe and inclusive environment for both staff and service users. [↑](#endnote-ref-6)
7. This section supports the Council’s responsibilities under the **Equality Act 2010** by helping staff understand how to make fair decisions, especially in recruitment and other areas where equality matters. It also helps create a positive workplace by raising awareness of the Council’s dignity at work policy and showing staff how to recognise and deal with bullying or harassment. This approach helps the Council meet its duty to promote equality and respect under **Section 149** of the Act. [↑](#endnote-ref-7)
8. This section supports the **Equality Act 2010** by making it clear that all employees have a role in helping the Council meet its equality commitments and avoid unlawful discrimination. Under **Sections 110–112,** employees can be held personally responsible for discrimination or harassment, not just the Council. Serious harassment can be treated as a criminal offence under **Section 74**. The wording also shows that any form of discrimination, bullying, or victimisation could lead to disciplinary action, including dismissal, helping the Council meet its legal duty under **Section 149** to treat people fairly and prevent unlawful behaviour at work. [↑](#endnote-ref-8)
9. This section follows the **Equality Act 2010** by giving employees a clear way to raise concerns if they feel they’ve been treated unfairly or discriminated against. It supports the Council’s duty under **Section 149** to deal with discrimination fairly and seriously. If the issue involves bullying or harassment, it’s handled through the Council’s dignity at work policy, which helps meet the Council’s responsibilities under **Section 26** of the Act. It also protects staff from being treated unfairly for raising a grievance, in line with **Section 27,** unless the complaint is both false and made in bad faith. [↑](#endnote-ref-9)
10. It is vital that this policy is reviewed at least annually by the full Parish Council due the regular updates in equality legislation. It is important that the council are kept up to date and aware of any changes via the clerk, who will, themselves, be kept up to date through LALC and other sources. [↑](#endnote-ref-10)